



September 10, 2013

RE: Support for HB 4792 and HB 4799

Dear Criminal Justice Committee Members:

The Michigan Environmental Council is a coalition of over 65 environmental, conservation and faith-based organizations located across Michigan. These organizations place a high priority on transportation issues, and particularly non-motorized transportation issues, as key to Michigan's economic success, good quality of life, and environmental prosperity. We view HB 4792 and HB 4799 as important for protecting non-motorized roadway users.

An emerging trend across the state is to design roadways that, in addition to motor vehicles, bicyclists, pedestrians and wheelchair users may safely use. The evidence of this direction is a nation-leading 90 communities affirmatively adopting complete streets policies or resolutions in just three short years since the complete streets law's enactment. Roadways designed and scaled to our neighborhoods and communities are very important; there is more to be done to safely accommodate bicyclists, pedestrians and the wheelchair-bound.

These bills are a step in the right direction. HB 4792 and HB 4799 would impose enhanced penalties – similar to those which already exist for reckless drivers who injure or kill construction workers; children in designated school zones; or, operators of slow-moving farm vehicles – on a motorist who commits a moving violation and, as a result, causes serious injury to a vulnerable roadway user. A "vulnerable roadway user" is a pedestrian or a "person operating a nonmotorized transportation device."

Vulnerable roadway users accounted for 17% of traffic deaths in 2012 while only totaling a slight amount of roadway usage. These bills provide law enforcement and prosecutors an enhanced set of tools with which to fill the gap between basic traffic infractions and more serious crimes. These bills, coupled with complete streets implementation and ongoing efforts to incorporate non motorized roadway user awareness into driver's education will go a long way to ensuring that our children, pedestrians, bicyclists and the disabled may have a greater opportunity to safely use their roadways.

Thank you for the opportunity to comment on this legislation. As always, we are available to answer any questions about our comments that you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Fischer".

Tim Fischer
Deputy Policy Director
tim@environmentalcouncil.org